

REMARKS

Claims 1-26 and 28-41 are pending in this application. Claim 26 is allowed. Claim 5 stands objected to. Claims 1-4, 6-25, and 28-41 stand rejected. No claims are amended, cancelled, or added by this response. Accordingly, claims 1-4, 5-25 and 28-41 are at issue.

Claims 1-3, 6-19, 21-25, and 28-41 stand rejected under 35 U.S.C. § 102(e) as anticipated by Tidemann, Jr., U.S. Patent No. 5,108,372. Reconsideration is respectfully requested.

Tidemann, Jr. does not disclose the claimed iterative decoding. In particular, Tidemann, Jr. apparently takes one pass at one or more decoding rates, and then checks for errors to determine whether the correct rate has been used. In contrast, the present invention claims, *inter alia*, iteratively decoding a first frame of a sequence of frames for a time longer than a predetermined time constraint, and iteratively decoding another frame for a time less than the time constraint. Tidemann, Jr. does not disclose iteratively decoding because it does not disclose more than one decoding pass for any given data rate. See, e.g., Application, paragraph 0003 ("One type of iterative decoding scheme is known as turbo decoding, which performs several iterations on each frame of received data until the data is properly decoded."). Attempting more than one decoding data rate on a frame of data in an effort to find the data rate for the frame is not the same as iteratively decoding a frame of data. For example, iterative decoding may be used where the data rate is known, or where the data rate is not variable.

Additionally, because Tidemann, Jr. does not disclose iterative decoding, it cannot disclose iteratively decoding a frame for a time period longer than a predetermined time constraint. Iteratively decoding a frame for a period of time longer than a predetermined time constraint (e.g., performing additional iterations) allows a decoder to reach convergence on more frames of data than would be possible with a fixed-time iteration decoder. E.g., Application, ¶0048. Also, iteratively decoding a frame for a time less than the time constraint allows the

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overall decoding rate to remain within limits and reduces power consumption. E.g., Application, ¶¶0046-47. The attempts to determine a variable data rate in Tidemann Jr. do not provide these benefits because such attempts do not concern iterative decoding.

For these reasons, it is respectfully submitted that Tidemann Jr. does not teach or disclose what is claimed in Claims 1-3, 6-19, 21-25, and 28-41. Allowance of these claims is respectfully requested.

Claim 4 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tidemann, Jr. in view of Alexandre et al., U.S. Patent No. 6,212,233 B1. Reconsideration is respectfully requested in view of the reasons for allowance set forth above with respect to Claims 1-3, 6-19, 21-25, and 28-41 are (incorporated herein by reference). Neither Tidemann Jr. nor Alexandre, either alone or in combination, disclose the claimed combination, because neither of the patents disclose the claimed iteratively decoding frames of data as claimed in independent Claim 1.

It is respectfully submitted that the application is in condition for allowance. If the Examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
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